

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|--------------------|---|------------------------|
| ROBERT KEITH ABEL, |) | CASE NO. 1:02 CV 1752 |
| |) | |
| Plaintiff, |) | JUDGE DONALD C. NUGENT |
| v. |) | |
| |) | AMENDED OPINION |
| VAN HARP, et al., |) | AND ORDER |
| |) | |
| Defendants. |) | |

The Court issued a Memorandum Opinion and Order on March 30, 2009, denying Plaintiff's Motion for a New Trial. Thereafter, Defendants filed a Motion to Alter or Amend Judgment Denying Plaintiff's Motion for a New Trial (ECF #189). Defendants point out that the Court mistakenly erred in stating that Defendant Torsney struck Plaintiff in his head and face with his knee on pages 8 and 9 of the March 30, 2009 Memorandum Opinion, when it was established at trial that Defendant Larkin, not Defendant Torsney, was the person who struck Plaintiff in the face with his knee in order to subdue him. Accordingly, the Court hereby amends its March 30, 2009 Memorandum Opinion and Order to clarify that it was Defendant Larkin, not Defendant Torsney, who struck Plaintiff in the face with his knee during the arrest.

IT IS SO ORDERED.

DATED: April 1, 2009


JUDGE DONALD C. NUGENT